IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 30TH NOVEMBER 2006 / 9TH AGRAHAYANA 1928

WP(C).No. 30676 of 2006(B)

PETITIONER:

RIJO GEORGE PHILIP, S/O.RAJAN PHILIP,
KUZHUVELIL HOUSE, VADIMON DESOM,
MALLAPPALLY VILLAGE, MALLAPPILLY TALUK,
PATHANAMTHITTA.

BY ADV. SRI.C.S.MANU

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY ITS SECRETARY, DEPARTMENT OF EXCISE, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. COMMISSIONER OF EXCISE, THIRUVANANTHAPURAM.

3. ASSISTANT EXCISE COMMISSIONER, PATHANAMTHITTA.

4. EXCISE INSPECTOR, EXCISE RANGE OFFICE, RANNI.

BY G.P. SRI.I.V.PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.30676 of 2006

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Dated this the 30th day of November, 2006.

JUDGMENT

The W.P. is filed challenging prohibition of sale of toddy in petitioner's toddy shop. Government Pleader submitted that during inspection by Excise party, a person was seen going from petitioner's toddy shop with spirit and he gave statement to the effect that petitioner gave the spirit to him for sale. Therefore, obviously case is booked against the petitioner for violation of licence conditions. The W.P. is therefore disposed of directing the second respondent to call for report from the concerned officer and complete the adjudication, whether it be for suspension or cancellation of licence, after issuing show cause notice to the petitioner and after calling for his objection and after hearing him. Final decision should be communicated to the petitioner within a period of one month from the date of production of copy of this judgment.

C.N.RAMACHANDRAN NAIR
Judge

pms